

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address JOHN P. REITMAN (State Bar No. 80579) jreitman@landaufirm.com MONICA RIEDER (State Bar No. 263250) mrieder@landaufirm.com LANDAU LAW LLP 2338 Manning Ave. Los Angeles, CA 90064 Telephone: (310) 557-0050 Facsimile: (310) 557-0056 <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Richard A. Marshack, Chapter 7 Trustee	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: Eagan Avenatti, LLP, <div style="text-align: right;">Debtor(s).</div>	CASE NO.: 8:19-bk-13560-SC ADVERSARY NO.: 8:21-ap-01081-SC CHAPTER: 7
Richard A. Marshack, Chapter 7 Trustee for Eagan Avenatti, LLP, <div style="text-align: right;">Plaintiff(s).</div> <div style="text-align: center;">vs.</div> Michael Q. Eagan; The Law Offices of Michael Q. Eagan, <div style="text-align: right;">Defendant(s).</div>	<div style="text-align: center;"> UNILATERAL STATUS REPORT [LBR 7016-1(a)(2)] </div> <div style="margin-top: 10px;"> DATE: 12/01/2021 TIME: 11:00 a.m. COURTROOM: 5C ADDRESS: 411 W. Fourth St. Santa Ana, CA 92701 </div>

The parties submit the following UNILATERAL STATUS REPORT in accordance with LBR 7016-1(a)(2):

A. PLEADINGS/SERVICE:

- | | | | | |
|---|-------------------------------------|-----|-------------------------------------|----|
| 1. Have all parties been served with the complaint/counterclaim/cross-claim, etc. (Claims Documents)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Have all parties filed and served answers to the Claims Documents? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| 3. Have all motions addressed to the Claims Documents been resolved? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| 4. Have counsel met and conferred in compliance with LBR 7026-1? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |

5. If your answer to any of the four preceding questions is anything other than an unqualified "YES," please explain below (*or on attached page*):

The parties have stipulated to an extension of time for the defendants to respond to the complaint. Docket No. 9. Per the order approving that stipulation, the defendants' deadline to respond to the complaint is extended through and including January 18, 2022. Docket No. 10. The trustee is unable to provide substantive answers to the remainder of the questions in this form until the defendants have responded to the complaint and the case is at issue. The defendants are still seeking counsel to represent them in this matter.

In the meantime, the parties have been discussing a potential resolution of the issues raised in the complaint, and the parties will continue to do so.

B. READINESS FOR TRIAL:

- | | | | |
|----|--|------------------|------------------|
| 1. | When will you be ready for trial in this case? | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |
| 2. | If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay. | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |
| 3. | When do you expect to complete <u>your</u> discovery efforts? | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |
| 4. | What additional discovery do you require to prepare for trial? | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |

C. TRIAL TIME:

- | | | | |
|----|--|------------------|------------------|
| 1. | What is your estimate of the time required to present <u>your side of the case</u> at trial (<i>including rebuttal stage if applicable</i>)? | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |
| 2. | How many witnesses do you intend to call at trial (<i>including opposing parties</i>)? | <u>Plaintiff</u> | <u>Defendant</u> |
| | Unknown | | |

3. How many exhibits do you anticipate using at trial?

Plaintiff

Defendant

Unknown

D. PRETRIAL CONFERENCE:

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pre-trial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Plaintiff

Pretrial conference ☐ is ☐ is not requested
Reasons:

Defendant

Pretrial conference ☐ is ☐ is not requested
Reasons:

Plaintiff

Pretrial conference should be set after:
(date) _____

Defendant

Pretrial conference should be set after:
(date) _____

E. SETTLEMENT:

1. What is the status of settlement efforts?

The parties have been discussing a potential resolution of the issues raised in the complaint, and the parties will continue to do so.

2. Has this dispute been formally mediated? ☐ Yes ☒ No
If so, when?

3. Do you want this matter sent to mediation at this time?

Plaintiff

☐ Yes ☒ No

Defendant

☐ Yes ☐ No

F. FINAL JUDGMENT/ORDER:

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

Plaintiff

☒ I do consent

☐ I do not consent

to the bankruptcy court's entry of a final judgment
and/or order in this adversary proceeding.

Defendant

☐ I do consent

☐ I do not consent

to the bankruptcy court's entry of a final judgment
and/or order in this adversary proceeding.

G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary)

Respectfully submitted,

Date: 11/17/2021

Landau Law LLP

Printed name of law firm

/s/ John P. Reitman

Signature

John P. Reitman

Printed name

Attorney for: Richard A. Marshack, Ch. 7 Trustee

Date: _____

Printed name of law firm

Signature

Printed name

Attorney for: _____

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
LANDAU LAW LLP, 2338 Manning Avenue, Los Angeles, CA 90064.

A true and correct copy of the foregoing document entitled (*specify*): **Unilateral Status Report** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **November 18, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Richard A Marshack (TR)** pkraus@marshackhays.com, rmarshack@iq7technology.com;ecf.alert+Marshack@titlexi.com
- **John P. Reitman** jreitman@landaufirm.com, vrichmond@landaufirm.com;avedrova@landaufirm.com;hrichmond@landaufirm.com
- **Monica Rieder** mrieder@landaufirm.com, vrichmond@landaufirm.com;avedrova@landaufirm.com;hrichmond@landaufirm.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **November 18, 2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Michael Eagan, Esq.
Law Offices of Michael Q. Eagan, LLP
1 Embarcadero Ctr., Ste. 3600
San Francisco, CA 94111-3705

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1 Embarcadero Ctr., Ste. 3600
San Francisco, CA 94111-3705

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 18, 2021
Date

Vanessah Berstecher
Printed Name

/s/ Vanessah Berstecher
Signature